



Data Practices Policy for the Public

**Adopted by City Council
October 4, 2021
Kelly K. Geistler
City Clerk**

Your Right to See Public Data

When government has information recorded in any form (paper, hard-drive, voicemail, video, email, etc.), that information is called “government data” under the MN Government Data Practices Act (MGDPA), Minnesota Statutes, Chapter 13. The MGDPA allows you, as a member of the public, to see government data. The law also states the following:

1. Government data are presumed public unless a state or federal law says the data are not public. However, the exception is that personnel data is presumed private unless a state or federal law says they are public.
2. The City of Rochester (the City) must make it easy for you to access public data.
3. You can look at data (inspect) for free.
4. You can request copies of public data for a charge.
5. You can look at data (inspect) before deciding to ask for copies.

The MGDPA does not require us to create or collect new data in response to a data request. It also does not require us to change the specific form or arrangement of data we provide. For example, if the data you request are on paper, we do not have to create electronic documents for your request. If we agree to create data for your request, we will work with you on the details such as cost and response time.

How to Request Public Data

Submit a request for government records using the [Public Records Center](#)

Or

Make a written request in-person or by mailing the City Clerk's Office, 201 4th St. SE, Room 135, Rochester MN 55904

Requests for [Police Reports](#) must be made by either visiting in-person or mailing a written request to the Police Records Law Enforcement Center at 101 4th St. SE, Rochester MN 55904 or Faxing (507) 328-6788. Please call the Rochester Police Records Unit at (507) 328-6811 prior to visiting the office

If you do not use the [Public Records Center](#), your written request should include:

- A statement that you are making a request for public data under the Government Data Practices Act (Minnesota Statutes, Chapter 13).

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- Whether you would like to inspect the data, get copies of the data, or both.
 - A clear description of the data.
 - You are not required to identify yourself or explain the reason for your data request. However, you may need to provide us with some personal information for practical reasons (for example: if you want us to mail copies to you, you need to provide us with an address or P.O Box). If we do not understand your request and have no way to contact you, we cannot respond to your request.

How We Will Respond to Your Data Request

Upon receiving your request, we will review it. Depending on the data, we will respond in one of the following ways:

1. We may ask you to clarify what data you are requesting.
2. If we do not have data, we will notify you in writing within ten business days.
3. If we have the data, but we are not allowed to give it to you, we will tell you as soon as reasonably possible and identify the law that prevents us from providing the data.
4. If we have the data, and the data are public, we will respond to your request appropriately and promptly, within a reasonable amount of time.

Following our response, you will have 30 business days to either arrange to see the data or pay for copies. If you do not respond within 30 days, we will close your request

When we have the public data, you can either arrange a date and time to view the data at our City Clerk's office, or request physical or electronic copies of the data.

You may pick up your copies from the Clerk's Office. We can also mail them to you, or we can upload copies into the Public Records Center for you to access. We can provide electronic copies (such as email or CD-ROM) upon request, if we both keep the data in that format and can reasonably make a copy. Response time may be impacted by both the size or complexity of your request and the number of requests you make.

How to Ask Questions about Records

If you do not understand some of the data (technical terminology, abbreviations, or acronyms), please tell the City employee who gave you the data. We will give you an explanation if you ask.

We are not required to respond to questions that are not about your data requests, or that are not requests for government data.

Requests for Summary Data

Summary data are statistical records or reports created by removing identifying information about individuals from entirely private or confidential data.

We may consider requests for summary data if you make your request in writing and agree to pre-pay/pay for the cost of creating the data

You may use the [Public Records Center](#) to request summary data. We will respond to your request within ten business days with the data or details of when the data will be ready and how much we will charge you for creating the data.

Data Practices Contacts

Responsible Authority

Kelly K. Geistler
City Clerk
201 4th Street SE Room 135
Rochester, MN 55904-3742
507-328-2900
Records@rochestermn.gov

Data Practices Compliance Official

Michael Spindler-Krage
Interim City Attorney
201 4th Street SE Room 247
Rochester, Mn 55904-3742
Phone: 507-328-2100
[City Attorney Contact List](#)

Data Practices City Records Manager

Jennifer Kellogg
City Records Manager

201 4th Street SE Room 135
Rochester, MN 55904-3742
Phone: 507-328-2909
Jkellogg@rochestermn.gov

Department Data Practices Designees:

Department	Responsible Authority	Designee
Administration	<i>*Kelly K. Geistler</i>	<i>*Aaron Parrish</i>
City Clerk	<i>*Kelly K. Geistler</i>	Jennifer Kellogg
Community Development	<i>*Kelly K. Geistler</i>	Leslie Durhman
Finance	<i>*Kelly K. Geistler</i>	Jennifer Kellogg
Human Resources	<i>*Kelly K. Geistler</i>	<i>*Linda Hillenbrand</i>
Mayo Civic Center	<i>*Kelly K. Geistler</i>	<i>*Joe Ward</i>
Mayor's Office	<i>*Kelly K. Geistler</i>	Michon Rogers
Public Works	<i>*Kelly K. Geistler</i>	Jennifer Kellogg
Rochester Public Library	<i>*Kelly K. Geistler</i>	Purna Gurung
Rochester Police Department	<i>*Kelly K. Geistler</i>	Tammy Helgeson
Rochester Fire Department	<i>*Kelly K. Geistler</i>	Julie Ladage
Rochester Airport Company	<i>*Kelly K. Geistler</i>	Adam Holz
Rochester Parks	<i>*Kelly K. Geistler</i>	Mike Nigbur
Rochester Civic Music	<i>*Kelly K. Geistler</i>	Mary Fuhrmeister
Rochester Public Utilities	<i>*Kelly K. Geistler</i>	Steven Nyhus
Water Reclamation Plant	<i>*Kelly K. Geistler</i>	Corey Bjornberg

*A name in italics and bold designates a department head.

Copy Costs – When You Request Public Data

Minnesota Statutes, section 13.03, subdivision 3(c) allows us to charge for copies.

If possible, and upon request, we will provide you with an estimation of the total cost of supplying copies

Fees totaling \$50.00 or more shall be collected before releasing copies, unless prior arrangements have been made

City of Rochester Schedule of Fees and Charges

It is the City of Rochester's policy to charge for copies. The City does not waive fees for media requests. No fee shall be charged to inspect data at the Rochester City Hall Records Inspection Room.

Copies or Transmission of Electronic Records = Actual Cost

Copies or Transmission of Paper Records up to 100 pages = \$0.25 per page

Copies or Transmission of Paper Records over 100 pages = Actual Cost

The MGDPA ([Minn. Stat. §13.03, subd. 3](#), referencing members of the public) allows the City to charge actual costs for researching and compiling government data. However, the process of separating public from not public data is never charged. Fees shall be reasonable and reflect only the actual cost of gathering, duplicating, and sending or transmitting the data. Actual costs shall be calculated based on the current hourly wage of the lowest-paid employee who could complete the task.

Minnesota Statutes, sections 13.025 and 13.03 require this policy.